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BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747

EXAMINER
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ATALA, JAMIE JO

ART UNIT	PAPER NUMBER
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2621

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/747,927	UEDA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	JAMIE JO ATALA	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 06 October 2009.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 16-22,24,26-28,30-38 and 42 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 16-22,24,26-28,30-38 and 42 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 12/27/2000 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____.   | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claim 16 have been considered but are moot in view of the new ground(s) of rejection based on Yoshimura et al (US 5,596,419) in view of Fujii et al (US 6,686,965) in further view of Tonomura et al (US 6,571,054). Regarding applicants arguments found on pages 9-10 regarding "a still image producing portion producing a still image by cutting out the still image to be recorded in the still image recording portion from the video recorded by said video recording portion at the start of video recording and every time a prescribed period of time is elapsed thereafter" as recited in independent claims. The newly applied reference of Tonomura et al addresses the producing of still images by cutting out still images at a beginning of the segment or after an elapsed time as disclosed in Column 8 Lines 19-63 and explained in detail in the proceeding office action
  
2. Regarding applicants concerns regarding the drawings acceptance as indicated on the PTOL-326. It is noted on September 21, 2005 the examiner noted the drawings submitted December 27, 2000 had been accepted. In order to clear up any concerns that the applicant might have regarding the drawings the examiner has indicated again the drawings have been accepted on the current PTOL-326.
  
3. Claims 16-22, 24, 26-28, 30-38, 42 are pending. Claims 1-15, 23, 25, 29, 39-41 and 43 have been cancelled.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 16-22, 24, 26-28, 30-38, 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshimura et al (US 5,596,419) in view of Fujii et al (US 6,686,965) in further view of Tonomura et al (US 6,571,054).

**[claim 16]**

In regard to Claim 16, Yoshimura et al discloses a recording device (Figure 1) comprising:

- a still image recording portion recording a still image (figure 1 shows a still video recording/reproducing device as further explained in Column 4 Lines 4-16);
- a video recording portion recording a video (figure 1 shows a vtr which is used for video recording as further described in Column 3 Lines 55+);
- an information recording portion recording information on a correspondence between the still image recorded by said still image recording portion and the video recorded by said video recording portion (Column 4 Lines 5-33 describes the information from the image recording portion and the relation to the still image and as further seen in Figure 7);
- a still image producing portion producing a still image by cutting out the still image to be recorded in the still image recording portion from the video recorded by said video recording portions (Column 6 Lines 11-50 describes the producing of portions of still images wherein parts of the still image are cut for recording portions of the data); however, fails to disclose

- a digital network interface digitally bi-directionally communicating with an external apparatus
- a command executing portion interpreting a command received from the external apparatus through the digital network interface and selectively transmitting one or a plurality of still images, the video and the information respectively recorded by said still image recording portion, said video recording portion and said information recording portion through said digital network
- a still image producing portion producing a still image by cutting out the still image to be recorded in the still image recording portion from the video recorded by said video recording portion at the start of video recording and every time a prescribed period of time is elapsed thereafter, wherein
  - said still image recording portion records the still image as a digital file
  - when a still image transfer command including a still image file name is received from the external apparatus, said command executing portion selectively transmits the still image based on the still image file name
  - when a video transfer command including a video file name is received from the external apparatus, said command executing portion selectively transmits the video based on the video file name

Fujii teaches a system for transmitting images (Figure 3) further comprising:

- a digital network interface digitally bi-directionally communicating with an external apparatus (Figures 3 and 4 shows a bi-directionally communication between two different external devices. The digital network interface for transmitting the digital images is further explained in Column 5 Lines 1-30);
- a command executing portion interpreting a command received from the external apparatus through the digital network interface and selectively transmitting one or a plurality of still images, the video and the information respectively recorded by said still image recording portion, said video recording portion and said information recording portion through said digital network (Column 5 Lines 1-30 describes the command of transmitting the still images wherein the external apparatus/printer can command the transmission of all images from the camera through the transmission across the digital network);
- said still image recording portion records the still image as a digital file (Figure 1 shows the capturing of the still image wherein the file as it is being captured is provided by the photoelectric conversion means 2 into a digital signal wherein the signal is then sent into memory for storage);

- when a video transfer command including a video file name is received from the external apparatus, said command executing portion selectively transmits the video based on the video file name (Column 5 Lines 1-30 further describes the transmitting of data based on frame number/file name wherein the external apparatus/printer only executes/prints that specific picture for the user).

It is taught by Fujii to provide a system for transmitting and processing images to external apparatus based on file name/frame number to provide efficient management of the data files (Column 2 Lines 8-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the still image producing means, as disclosed by Yoshimura et al, and further incorporate a system for transmitting the data to external apparatus through the use of file names, as taught by Fujii, in order to provide efficient downloading and management of the still images.

Tonomura et al further teaches a system for transferring data between a camera and other external apparatus further comprising:

- a still image producing portion producing a still image by cutting out the still image to be recorded in the still image recording portion from the video recorded by said video recording portion at the start of video recording and every time a prescribed period of time is elapsed thereafter (Figure 6 shows the generation of still images/representative image that are cut out for representing the stream

after a certain amount of elapsed time as described in Column 8

Lines 19-63)

- when a still image transfer command including a still image file name is received from the external apparatus, said command executing portion selectively transmits the still image based on the still image file name (Column 7 Lines 1-37 describes transferring still image data based on the still image file name wherein the file name is shown in Figure 5b video file name 505 regarding the managing of the data and further seen as a selectable means in Figure 9).

It is taught by Tonomura et al to allow for the producing of still images by cutting out image data of the video signal at the start of the video sequence or elapsed time in order to effectively process an appropriate still image of the video signal. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the system as disclosed by Yoshimura et al in view of Fuji et al, and further incorporate a system that produces still images based on elapsed time or beginning of the video segment, as taught by Tonomura et al, in order to allow for efficient transfer and processing of the video signal.

**[claim 17]**

In regard to Claim 17, Yoshimura et al discloses a recording device wherein said command executing portion transmits the still image and the information respectively

recorded by said still image recording portion and said information recording portion  
(Column 8 Lines 18+) however, fails to discloses

- recording portion is through said communicating portion giving a still image transfer command.

Fujii teaches a system for transmitting images (Figure 3) further comprising:

- recording portion is through said communicating portion giving a still image transfer command (Column 5 Lines 1-30 describes the transmitting command from the various apparatus to the external apparatus through a digital communication network).

It is taught by Fujii to provide a system for transmitting and processing images to external apparatus based on file name/frame number to provide efficient management of the data files (Column 2 Lines 8-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the still image producing means, as disclosed by Yoshimura et al, and further incorporate a system for transmitting the data to external apparatus through the use of file names, as taught by Fujii, providing the same motivation as described in Claim 16.

**[claim 18]**

In regard to Claim 18, Yoshimura et al discloses a recording device wherein said command executing portion transmits the still image (Column 8 Lines 57+ through Column 9 Lines 1-18 describes the recording and transmitting the still images); however, fails to disclose

- the still image recording is in accordance with a Direct Printing Protocol.

Fujii teaches a system for transmitting images (Figure 3) further comprising:

- the still image recording is in accordance with a Direct Printing Protocol (Figure 3 shows the transmitting of data from the camera to a printer but is silent regarding Direct Printing Protocol (DPS). It is noted by the examiner that DPS is an industry standard that allows for the consumer to easily print photos directly connecting their digital still cameras to their printers and thereby is met through Figure 3).

It is taught by Fujii to provide a system for transmitting and processing images to external apparatus based on file name/frame number to provide efficient management of the data files (Column 2 Lines 8-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the still image producing means, as disclosed by Yoshimura et al, and further incorporate a system for transmitting the data from a digital camera directly to a printer, as taught by Fujii, providing the same motivation as described in Claim 16.

**[claim 19]**

In regard to Claim 19, Yoshimura et al discloses a recording device wherein said command executing portion transmits the video data recorded by said video recording portion by an Audio Visual control (Figure 7 and 8 shows the transmitting of recording data by an audio visual control as further described in Column 7 Lines 50-61 and Column 8 Lines 19-44).

**[claim 20]**

In regard to Claim 20, Yoshimura et al discloses a recording device wherein said information on the correspondence between the still image and the video includes information representing a reproduction position of the video (Column 3 Lines 54-58 describes the still images being representative images of the video as well as positioning of the video).

**[claim 21]**

In regard to Claim 21, Yoshimura et al discloses a recording device wherein said information representing the reproduction position of the video designated by temporal information (Column 4 Lines 5-18 describes the information representing the position of the video).

**[claim 22]**

In regard to Claim 22, Yoshimura et al discloses a recording device further comprising a searching portion searching and changing a reproduction starting point of the video (Column 6 Lines 50+ describes the looking up of video from various points); However, fails to disclose

- Change is based on information received from the external apparatus

Fujii teaches a system for transmitting images (Figure 3) further comprising:

- Change is based on information received from the external apparatus (Column 5 Lines 1-30 describes the information received from the external apparatus wherein information regarding reproduction of data can be changed).

It is taught by Fujii to provide a system for transmitting and processing images to external apparatus based on file name/frame number to provide efficient management

of the data files (Column 2 Lines 8-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the still image producing means, as disclosed by Yoshimura et al, and further incorporate a system for receiving information on a change from an external apparatus, as taught by Fujii, providing the same motivation as described in Claim 16.

**[claim 24]**

In regard to Claim 24, Yoshimura et al discloses a recording device wherein said still image producing portion produces and records information on a correspondence between the still image and the video based on information dependent on the video (Column 3 Lines 54+ describes the still images that are dependent on the video signal).

**[claim 26]**

In regard to Claim 26, Yoshimura et al discloses a recording device (Figure 1) comprising:

- a still image recording portion recording a still image (figure 1 shows a still video recording/reproducing device as further explained in Column 4 Lines 4-16);
- a video recording portion recording a video (figure 1 shows a vtr which is used for video recording as further described in Column 3 Lines 55+);
- an information recording portion recording information on a correspondence between the still image recorded by said still image recording portion and the video recorded by said video recording portion

(Column 4 Lines 5-33 describes the information from the image recording portion and the relation to the still image and as further seen in Figure 7);

- a still image producing portion producing a still image by cutting out the still image to be recorded in the still image recording portion from the video recorded by said video recording portions (Column 6 Lines 11-50 describes the producing of portions of still images wherein parts of the still image are cut for recording portions of the data); however, fails to disclose
  - a digital network interface digitally bi-directionally communicating with an external apparatus
  - a command executing portion interpreting a command received from the external apparatus through the digital network interface and selectively transmitting one or a plurality of still images, the video and the information respectively recorded by said still image recording portion, said video recording portion and said information recording portion through said digital network
  - a still image producing portion producing a still image by cutting out the still image to be recorded in the still image recording portion from the video recorded by said video recording portion at the start of video recording and every time a prescribed period of time is elapsed thereafter
  - said still image recording portion records the still image as a digital file

- when a still image transfer command including a still image file name is received from the external apparatus, said command executing portion selectively transmits the still image based on the still image file name
- when a video transfer command including a video file name is received from the external apparatus, said command executing portion selectively transmits the video based on the video file name

Fujii teaches a system for transmitting images (Figure 3) further comprising:

- a digital network interface digitally bi-directionally communicating with an external apparatus (Figures 3 and 4 shows a bi-directionally communication between two different external devices. The digital network interface for transmitting the digital images is further explained in Column 5 Lines 1-30);
- a command executing portion interpreting a command received from the external apparatus through the digital network interface and selectively transmitting one or a plurality of still images, the video and the information respectively recorded by said still image recording portion, said video recording portion and said information recording portion through said digital network (Column 5 Lines 1-30 describes the command of transmitting the still images wherein the external apparatus/printer can command the transmission of all

- images from the camera through the transmission across the digital network);
- said still image recording portion records the still image as a digital file (Figure 1 shows the capturing of the still image wherein the file as it is being captured is provided by the photoelectric conversion means 2 into a digital signal wherein the signal is then sent into memory for storage);
  - when a still image transfer command including a still image file name is received from the external apparatus, said command executing portion selectively transmits the still image based on the still image file name (Column 5 Lines 1-30 describes the transmitting of data wherein the transmitting of images based on frame number/file name is received by the external apparatus/printer and the command to print is processed);
  - when a video transfer command including a video file name is received from the external apparatus, said command executing portion selectively transmits the video based on the video file name (Column 5 Lines 1-30 further describes the transmitting of data based on frame number/file name wherein the external apparatus/printer only executes/prints that specific picture for the user).

It is taught by Fujii to provide a system for transmitting and processing images to external apparatus based on file name/frame number to provide efficient management of the data files (Column 2 Lines 8-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the still image producing means, as disclosed by Yoshimura et al, and further incorporate a system for transmitting the data to external apparatus through the use of file names, as taught by Fujii, in order to provide efficient downloading and management of the still images.

Tonomura et al further teaches a system for transferring data between a camera and other external apparatus further comprising:

- a still image producing portion producing a still image by cutting out the still image to be recorded in the still image recording portion from the video recorded by said video recording portion at the start of video recording and every time a prescribed period of time is elapsed thereafter (Figure 6 shows the generation of still images/representative image that are cut out for representing the stream after a certain amount of elapsed time as described in Column 8 Lines 19-63)
- when a still image transfer command including a still image file name is received from the external apparatus, said command executing portion selectively transmits the still image based on the still image file name (Column 7 Lines 1-37 describes transferring still image data based on the still image file name wherein the file

name is shown in Figure 5b video file name 505 regarding the managing of the data and further seen as a selectable means in Figure 9).

It is taught by Tonomura et al to allow for the producing of still images by cutting out image data of the video signal at the start of the video sequence or elapsed time in order to effectively process an appropriate still image of the video signal. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the system as disclosed by Yoshimura et al in view of Fuji et al, and further incorporate a system that produces still images based on elapsed time or beginning of the video segment, as taught by Tonomura et al, in order to allow for efficient transfer and processing of the video signal.

**[claim 27]**

In regard to Claim 27, Yoshimura et al discloses a recording device wherein said still image recording portion, said video recording portion or said information recording portion records information on a recording medium which allows random access (Column 3 Lines 59+ describes the recording the signal onto the VTR which would allow for random access).

**[claim 28]**

In regard to Claim 28, Yoshimura et al discloses a recording device (Figure 1) comprising:

- a still image display portion (Figure 12 shows the display of the still images);

- an information receiving portion receiving information on a correspondence between the still image and a video (Column 4 Lines 5-33 describes the information from the image recording portion and the relation to the still image and as further seen in Figure 7);
- a still image producing portion producing a still image by cutting out the still image from the video(Column 6 Lines 11-50 describes the producing of portions of still images wherein parts of the still image are cut for recording portions of the data); however, fails to disclose
  - a digital network interface digitally bi-directionally communicating with an external apparatus
  - a still image selection command issuing portion transmitting through said digital interface to the external apparatus a file name a still image capable of selecting the still image t
  - a video selection command issuing portion transmitting through said digital interface to external apparatus a file name of the video capable of selecting the video through said digital interface
  - a video display portion receiving the video corresponding to the still image displayed by said still image display portion through said digital network interface for display
  - a still image producing portion producing a still image by cutting out the still image to be recorded in the still image recording portion from the video recorded by said video recording portion at the start

of video recording and every time a prescribed period of time is elapsed thereafter

Fujii teaches a system for transmitting images (Figure 3) further comprising:

- a digital network interface digitally bi-directionally communicating with an external apparatus (Figures 3 and 4 shows a bi-directionally communication between two different external devices. The digital network interface for transmitting the digital images is further explained in Column 5 Lines 1-30);
- a video selection command issuing portion transmitting a file name of the video capable of selecting the video through said digital interface (Column 5 Lines 1-30 describes the transmitting of data wherein the transmitting of images based on frame number/file name is received by the external apparatus/printer and the command to print is processed);
- a video display portion receiving the video corresponding to the still image displayed by said still image display portion through said digital network interface for display (Column 5 Lines 1-30 describes the displaying of video and still images associated with the reproduced data).

It is taught by Fujii to provide a system for transmitting and processing images to external apparatus based on file name/frame number to provide efficient management of the data files (Column 2 Lines 8-32). Therefore, it would have been obvious to one of

ordinary skill in the art at the time of the invention to use the still image producing means, as disclosed by Yoshimura et al, and further incorporate a system for transmitting the data to external apparatus through the use of file names, as taught by Fujii, in order to provide efficient downloading and management of the still images.

Tonomura et al further teaches a system for transferring data between a camera and other external apparatus further comprising:

- a still image producing portion producing a still image by cutting out the still image to be recorded in the still image recording portion from the video recorded by said video recording portion at the start of video recording and every time a prescribed period of time is elapsed thereafter (Figure 6 shows the generation of still images/representative image that are cut out for representing the stream after a certain amount of elapsed time as described in Column 8 Lines 19-63)
- when a still image transfer command including a still image file name is received from the external apparatus, said command executing portion selectively transmits the still image based on the still image file name (Column 7 Lines 1-37 describes transferring still image data based on the still image file name wherein the file name is shown in Figure 5b video file name 505 regarding the managing of the data and further seen as a selectable means in Figure 9).

It is taught by Tonomura et al to allow for the producing of still images by cutting out image data of the video signal at the start of the video sequence or elapsed time in order to effectively process an appropriate still image of the video signal. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the system as disclosed by Yoshimura et al in view of Fuji et al, and further incorporate a system that produces still images based on elapsed time or beginning of the video segment, as taught by Tonomura et al, in order to allow for efficient transfer and processing of the video signal.

**[claim 30]**

In regard to Claim 30, Yoshimura et al discloses a reproducing device (Figure 1) comprising:

- a still image display portion (Figure 12 shows the display of the still images);
- an information receiving portion receiving information on a correspondence between the still image and a video (Column 4 Lines 5-33 describes the information from the image recording portion and the relation to the still image and as further seen in Figure 7);
- a still image producing portion producing a still image by cutting out the still image from the video(Column 6 Lines 11-50 describes the producing of portions of still images wherein parts of the still image are cut for recording portions of the data); however, fails to disclose

- a digital network interface digitally bi-directionally communicating with an external apparatus
- a still image selection command issuing portion transmitting a file name of the still image capable of selecting the still image through said digital network interface
- a video selection command issuing portion transmitting through said digital interface to the external apparatus a file name of the video capable of selecting the video through said digital interface
- a video display portion receiving the video corresponding to the still image displayed by said still image display portion through said digital network interface for display
- An instruction issuing portion issuing an instruction for cutting out the still image to be recorded in the still image recording portion from the video recorded by said video recording portion at the start of video recording and every time a prescribed period of time is elapsed thereafter

Fujii teaches a system for transmitting images (Figure 3) further comprising:

- a digital network interface digitally bi-directionally communicating with an external apparatus (Figures 3 and 4 shows a bi-directionally communication between two different external devices. The digital network interface for transmitting the digital images is further explained in Column 5 Lines 1-30);

- a still image selection command issuing portion transmitting a file name of the still image capable of selecting the still image through said digital network interface (Column 5 Lines 1-30 describes the command of transmitting the still images wherein the external apparatus/printer can command the transmission of all images from the camera through the transmission across the digital network);
- a video selection command issuing portion transmitting a file name of the video capable of selecting the video through said digital interface (Column 5 Lines 1-30 describes the transmitting of data wherein the transmitting of images based on frame number/file name is received by the external apparatus/printer and the command to print is processed);
- a video display portion receiving the video corresponding to the still image displayed by said still image display portion through said digital network interface for display (Column 5 Lines 1-30 describes the displaying of video and still images associated with the reproduced data).

It is taught by Fujii to provide a system for transmitting and processing images to external apparatus based on file name/frame number to provide efficient management of the data files (Column 2 Lines 8-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the still image producing means, as disclosed by Yoshimura et al, and further incorporate a system for

transmitting the data to external apparatus through the use of file names, as taught by Fujii, in order to provide efficient downloading and management of the still images.

Tonomura et al further teaches a system for transferring data between a camera and other external apparatus further comprising:

- An instruction issuing portion issuing an instruction for cutting out the still image to be recorded in the still image recording portion from the video recorded by said video recording portion at the start of video recording and every time a prescribed period of time is elapsed thereafter (Figure 6 shows the generation of still images/representative image that are cut out for representing the stream after a certain amount of elapsed time as described in Column 8 Lines 19-63)
- when a still image transfer command including a still image file name is received from the external apparatus, said command executing portion selectively transmits the still image based on the still image file name (Column 7 Lines 1-37 describes transferring still image data based on the still image file name wherein the file name is shown in Figure 5b video file name 505 regarding the managing of the data and further seen as a selectable means in Figure 9).

It is taught by Tonomura et al to allow for the producing of still images by cutting out image data of the video signal at the start of the video sequence or elapsed time in

order to effectively process an appropriate still image of the video signal. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the system as disclosed by Yoshimura et al in view of Fujii et al, and further incorporate a system that produces still images based on elapsed time or beginning of the video segment, as taught by Tonomura et al, in order to allow for efficient transfer and processing of the video signal.

**[claim 31]**

In regard to Claim 18, Yoshimura et al discloses a recording device wherein said command executing portion transmits the still image (Column 8 Lines 57+ through Column 9 Lines 1-18 describes the recording and transmitting the still images); however, fails to disclose

- the still image recording is in accordance with a Direct Printing Protocol.

Fujii teaches a system for transmitting images (Figure 3) further comprising:

- the still image recording is in accordance with a Direct Printing Protocol (Figure 3 shows the transmitting of data from the camera to a printer but is silent regarding Direct Printing Protocol (DPS). It is noted by the examiner that DPS is an industry standard that allows for the consumer to easily print photos directly connecting their digital still cameras to their printers and thereby is met through Figure 3).

It is taught by Fujii to provide a system for transmitting and processing images to external apparatus based on file name/frame number to provide efficient management

of the data files (Column 2 Lines 8-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the still image producing means, as disclosed by Yoshimura et al, and further incorporate a system for transmitting the data from a digital camera directly to a printer, as taught by Fujii, providing the same motivation as described in Claim 30.

**[claim 32]**

In regard to Claim 32, Yoshimura et al discloses a recording device wherein said information on the correspondence between the still image and the video includes information representing a reproduction position of the video (Column 3 Lines 54-58 describes the still images being representative images of the video as well as positioning of the video).

**[claim 33]**

In regard to Claim 33, Yoshimura et al discloses a recording device wherein said information representing the reproduction position of the video designated by temporal information (Column 4 Lines 5-18 describes the information representing the position of the video).

**[claim 34]**

In regard to Claim 34, Yoshimura et al discloses a reproducing device wherein said command issuing portion transmits said information on the correspondence between the still image data and the video with a video transfer command when said command issuing portion issues said video transfer command through said communicating portion, and said video display portion receives video communicating portion for display

(Column 3 Lines 54+ describes the transmitting of still images that are dependent on the video).

**[claim 35]**

In regard to Claim 19, Yoshimura et al discloses a recording device wherein said command executing portion transmits the video data recorded by said video recording portion by an Audio Visual control (Figure 7 and 8 shows the transmitting of recording data by an audio visual control as further described in Column 7 Lines 50-61 and Column 8 Lines 19-44).

**[claim 36]**

In regard to Claim 36 Yoshimura et al discloses a reproducing device (Figure 1); however, fails to disclose

- said still image display portion retrieves temporal information from information corresponding to the still image received by the digital network interface and displays the temporal information when the still image is received

Fujii teaches a system for transmitting images (Figure 3) further comprising:

- said still image display portion retrieves temporal information from information corresponding to the still image received by the digital network interface and displays the temporal information when the still image is received (Figure 2d-1 shows additional temporal information that is based on the still image as described in Column 4 lines 23-46).

It is taught by Fujii to provide a system for transmitting and processing images to external apparatus based on file name/frame number to provide efficient management

of the data files (Column 2 Lines 8-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the still image producing means, as disclosed by Yoshimura et al, and further incorporate a system for transmitting the temporal data of the still image with the still image data, as taught by Fujii, providing the same motivation as described in Claim 28.

**[claim 37]**

In regard to Claim 37, Yoshimura et al discloses a reproducing device wherein said command issuing portion issues a command of requesting transmission of videos corresponding to the still image through said communicating portion in an order of the still images displayed onto said still image display portion (Figure 12 shows the still images that are displayed and processed and it is further described in Column 10 Lines 35+ the command issuing portion that requests the transmission of the still pictures).

**[claim 38]**

In regard to Claim 38, Yoshimura et al discloses a reproducing device further comprising a switching portion switching positions of the still images displayed on said still image display portion (Column 10 Lines 35+ describes the switching positions of the still images).

**[claim 42]**

In regard to Claim 42, Yoshimura et al discloses a recording device (Figure 3); however, fails to disclose

- each of the still image, the video and the information on the correspondence between the still image and the video is transmitted by at least two different kinds of communication protocols or at least two different kinds of command sets.

Fujii teaches a system for transmitting images (Figure 3) further comprising:

- each of the still image, the video and the information on the correspondence between the still image and the video is transmitted by at least two different kinds of communication protocols or at least two different kinds of command sets.

(Figure 3 shows the transmitting of data from the camera to a printer and Figure 4 shows the transmitting between the camera and the printer. It is noted by the examiner that two different type of communication protocols is involved in providing communication between the camera/printer and camera/CPU) .

It is taught by Fujii to provide a system for transmitting and processing images to external apparatus through communication protocols to provide efficient management of the data files (Column 2 Lines 8-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the still image producing means, as disclosed by Yoshimura et al, and further incorporate a system for transmitting the data through communication protocols, as taught by Fujii, providing the same motivation as described in Claim 16.

### ***Conclusion***

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMIE JO ATALA whose telephone number is (571)272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/JAMIE JO ATALA/

Examiner, Art Unit 2621